

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION

RECEIVED

2007 NOV 15 A 10:00

DEBRA P. HACKETT, CLERK  
U.S. DISTRICT COURT  
MIDDLE DISTRICT ALA

BROADCAST MUSIC, INC., et al.,

Plaintiffs,

v.

FOURTH QUARTER, INC. d/b/a SKYBAR  
CAFÉ, PATRICK J. GRIDER AND DANIEL  
GRIDER, each individually.

Defendants.

CASE NO.:

3:07-cv-00921-MHT-CSC

**MOTION FOR ADMISSION TO PRACTICE PRO HAC VICE**

Plaintiffs, Broadcast Music, Inc., et al., move this Court pursuant to Local Rule 83.1(b) to enter an Order admitting to practice Mark V. Lindsay as *pro hac vice* counsel for the Plaintiffs. In support, the Plaintiffs state the following:

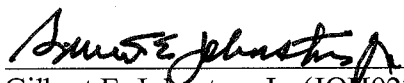
1. Mark V. Lindsay is an attorney at the law firm of Johnston Barton Proctor & Rose LLP located at Colonial Brookwood Center, 569 Brookwood Village, Suite 901, Birmingham, Alabama 35209. Mr. Lindsay possesses knowledge regarding relevant issues in the captioned case and is important to the Plaintiffs' representation.

2. Mr. Lindsay is admitted to practice before the United States District Court for the Northern District of Georgia. Pursuant to Local Rule 83.1(b), enclosed with this Motion for Admission to Practice Pro Hac Vice is a Certificate of Good Standing from the United States District Court for the Northern District of Georgia.

3. Mr. Lindsay is a member in good standing of the State Bar of Georgia.

WHEREFORE, Plaintiffs respectfully move this Court to admit Mark V. Lindsay as *pro hac vice* counsel to the Plaintiffs in the above captioned case.

Dated: November 14, 2007

By:   
Gilbert E. Johnston, Jr. (JOH023)  
Attorney for Plaintiffs

**JOHNSTON BARTON PROCTOR & ROSE LLP**

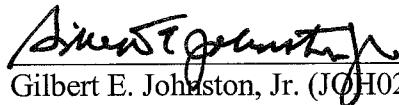
Colonial Brookwood Center  
569 Brookwood Village, Suite 901  
Birmingham, AL 35209  
Telephone: (205) 458-9400  
Facsimile: (205) 458-9500

**CERTIFICATE OF SERVICE**

I certify that a copy of the preceding Motion for Admission to Practice Pro Hac Vice was served on counsel to the Defendants on November 14, 2007 to the following address by regular certified mail:

Davis B. Whittelsey  
Whittelsey, Whittelsey & Poole, P.C.  
600 Avenue A  
Post Office 106  
Opelike, Alabama 36803-0106

By:

  
Gilbert E. Johnston, Jr. (JOH023)  
Attorney for Plaintiffs

W0621208.DOC



## CERTIFICATE OF GOOD STANDING

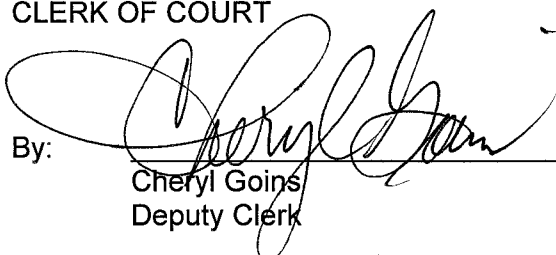
UNITED STATES OF AMERICA                                 }  
  } ss.  
NORTHERN DISTRICT OF GEORGIA                                 }

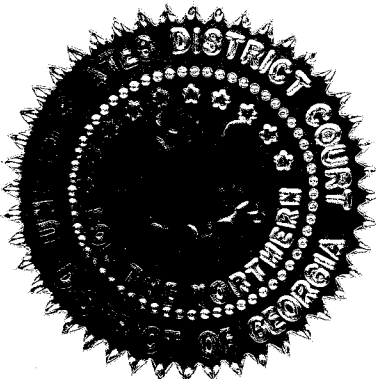
I, James N. Hatten, Clerk of the United States District Court for the Northern District of Georgia,

**DO HEREBY CERTIFY** that **Mark Victor Lindsay, State Bar No. 453017**, was duly admitted to practice in said Court on May 17, 2004, and is in good standing as a member of the bar of said Court.

Dated at Atlanta, Georgia, this 30th day of October, 2007.

JAMES N. HATTEN  
CLERK OF COURT

By:   
Cheryl Goins  
Deputy Clerk



CORRECTED

Court Name: U S DISTRICT COURT - AL/M  
Division: 2  
Receipt Number: 4602001188  
Cashier ID: khaynes  
Transaction Date: 11/15/2007  
Payer Name: JOHNSTON BARTON PROCTOR ROSE

-----  
PRO HOC VICE  
For: MARK V. LINDSAY  
Case/Party: D-ALM-A-TT-YF-EEFUND-001  
Amount: \$20.00  
-----

CHECK  
Check/Money Order Num: 123115  
Amt Tendered: \$20.00  
-----

Total Due: \$20.00  
Total Tendered: \$20.00  
Change Amt: \$0.00

3:07-cv-000921-MHT

Broadcast Music, Inc. et al V.  
Fourth Quarter et al